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PART I

Section 1. INTRODUCTION

This document describes the operational usage of the Automated Export System (AES) and is comprised of several separate documents. Together, these documents define the Automated Export System Trade Interface Requirements (AESTIR) and serve as a reference manual for the AES process.

The AESTIR is divided into three parts. **Part I** provides the user with general information needed to understand why and how AES was developed and enhanced, how AES works, and what requirements must be met to participate in AES. **Part II** provides the record formats accepted in AES. **Part III** contains the various appendices to the AESTIR, which assist the user in programming, testing, reporting and understanding the export requirements.

Information on AES is available through the Internet on the Customs Home Page at <http://www.customs.gov>. The AESTIR document is available via the AES Internet site and may be downloaded completely or as selected documents. Notices of changes to the record formats and AESTIR-related information are broadcast to all users of AES as well as posted to the AES Internet site.

AES includes a Data Universal Numbering System (DUNS) number as a data element. The 'DUNS' is a registered trademark of The Dun and Bradstreet Corporation. 'DUNS' is used throughout this document.

Background

The AES is an electronic reporting system jointly developed by the U.S. Customs Service, the Foreign Trade Division of the Bureau of the Census (Commerce), the Bureau of Industry and Security (Commerce), formerly the Bureau of Export Administration (BXA), other Federal agencies and the trade community. AES allows exporters (US principal parties in interest) or the authorized agents to transmit commodity (Shipper's Export Declaration (SED) information, and sea carriers to transmit transportation (outbound vessel booking and manifest) information.

AES provides a seamless Government information processing system to allow the trade community to report export data electronically. The AES also is the cornerstone of Customs' and the Census Bureau's reinvestment strategy to support and facilitate the movement of exports. Automation will help remove the time consuming paper processing barriers that now hinder the flow of trade. AES will greatly improve the accuracy of the export data provided to the Census Bureau and will allow the Census Bureau, in turn, to provide more accurate export data and a wider range of export data needed by businesses to stay competitive in the global trade market today. AES is in alignment with the global shift to the electronic movement of all business information.

The AES will result in the elimination of redundant reporting of export data to multiple agencies. It brings savings in both human resources and paper handling. It greatly increases the accuracy of trade statistics, which will allow for improvement in public and private sector decision making. Under AES, increased accuracy of trade information, the prohibition of illegal exports, and effective enforcement of license requirements can all be achieved while the flow of trade is facilitated.

AES Overview

To ensure user participation in the development of AES, ideas and suggestions were provided to the AES Development Team through a Trade Resource Group comprised of exporters (US principal parties in interest), carriers, freight forwarders, Non-Vessel Operating Common Carriers (NVOCC), port authorities and other interested parties.

AES was implemented in phases. Phase I began July 1995 with participation at five vessel ports. After a successful evaluation of Phase I was completed in June 1996, AES expanded to all vessel ports. In July 1997, AES expanded to receive air and overland commodity data, as well as vessel shipments, from all ports. In 1997, AES-PASS (Post-departure Authorized Special Status) was introduced to provide needed flexibility for post-departure filing by approved exporters. While AES-PASS significantly improved AES, some of the trade remained concerned. In 1998, to address current business practices and to increase voluntary acceptance of AES, the government entered into Interest-Based Negotiations (IBN) with members of the trade to discuss system enhancements and time frames for the submission of commodity information.

Two significant improvements to the AES were agreed to as a result of IBN: (1) the creation of a filing option that requires no pre-departure information with full export information transmitted within ten working days. And (2) the creation of a two-step filing option that allows for transmissions of some basic export information filed prior to exportation, followed by full export information filed within five working days. These reporting options are referred to as Option 4 and Option 3, respectively. Basic AES requires full pre-departure filing and is referred to as Option 2. Option 1 allows for the pre-departure filing of paper SEDs.

AES is currently accepting Letters of Intent to participate in AES Option 4 program that began in March 1999, as well as the basic AES Letter of Intent. The AES-PASS program was eliminated in April 2000, one year after the implementation of Option 4. The AES Vessel Transportation Module was successfully launched in June 2001. The Letter of Intent to participant in the Vessel Transportation Module is currently being accepted. The AES Development Team and the Outbound Process Team continue to work closely with the trade community, through the Trade Resource Group, to define the air and land border transportation requirements. The air and rail transportation modules (manifests) for AES are under development.

How the Basic AES Works

The export process begins when the US principal party in interest (USPPI) decides to export merchandise. The USPPI or the authorized forwarding agent makes shipping arrangements (booking) with the carrier. The USPPI or the authorized filing agent transmits the commodity data (shipper's export declaration) either directly or through a service center, port authority, data entry center or AESDirect,⁽¹⁾ using AES. AES validates the data against editing tables and U.S. Government agency requirement files. If a fatal error condition is encountered, processing stops and an error message describing the problem is sent back to the filer. The data must be corrected and retransmitted. If the shipment is accepted as transmitted, AES generates a confirmation message which including an Internal Transaction Number (ITN) back to the filer. Any warning or verify conditions encountered cause AES to generate an error messages back to the filer. These warning and verify messages must be corrected or verified. The corrected information must be transmitted to AES. The carrier or the authorized forwarding agent transmits the outbound vessel manifest using AES. The transportation data is validated and messages are generated by AES either confirming or rejecting the shipment data. Any errors must be corrected and the corrected data transmitted to AES.

1) AESDirect is a free Internet application provided by the Bureau of the Census.
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Overview of the AES Transportation Module

The vessel Transportation Module allows vessel carriers to electronically report export vessel booking and manifest data to Customs.

How the AES Transportation Module Works

Vessel carriers participating in the Transportation Module will transmit four electronic messages to AES. The transmission must be submitted in the following order:

1) Booking Message

The "Booking Message" includes information on the USPPI, cargo and destination. The carrier transmits all Booking Messages in their system to AES 72 hours prior to vessel departure. The carrier is encouraged to transmit bookings to AES as close as possible to the 72-hour mark prior to departure of the vessel. This can help avoid booking error messages. All bookings received after the 72-hour mark prior to vessel departure are transmitted when received.

2) Receipt of Booking Message

Upon the carrier's receipt of the first piece of booked cargo (unless the carrier is a designated Non Vessel Operating Common Carrier (NVOCC), in which case it will be receipt of the last piece of cargo on the booking), the carrier transmits a "Receipt of Booking Message" to AES. If Customs determines that a verification examination is required, Customs will immediately return a "Hold Message" to the carrier. When Customs has completed a required examination and determined that the cargo may be exported, a "Release Message" will be transmitted to the carrier. If the carrier does not receive a "Hold Message," the cargo may be loaded on the vessel.

3) Departure Messages

The "Departure Message" notifies Customs that the vessel has departed and includes the date and time of departure, vessel name, carrier Standard Carrier Alpha Code (SCAC) and the load port. The carrier transmits the "Departure Message" no later than the first calendar day following the actual departure of the vessel.

4) Manifest Message

Within ten calendar days after departure from each port, the carrier will transmit the entire manifest (Bills of Lading) electronically. For each bill of lading transmitted a booking message must first be on file.

The Automated Export System (AES) Process Flow**Description of the AES Process Flow Diagram**

The Process Flow Diagram depicts the major processing steps and 100 % user interaction required in AES.

Box 1: In the sea environment, ocean carriers will transmit all booking messages in their system to AES 72 hours prior to vessel departure. AES will edit the information and compare the booking information against federal agency criteria files. Within seconds/minutes, AES will generate a confirmation or error message(s) to the carrier. AES will NOT generate a HOLD at this time if the booking message matches against the criteria. For corrections/additions to data, the ocean carrier will send amendments. The primary reference of this message is the Booking Control Number. This Booking Control Number consist of the Standard Carrier Alpha Code (SCAC-carrier's four letter ID) plus the carrier booking number.

Box 2: In the sea environment, ocean carriers will report a Receipt of Booking message after receiving the first piece of equipment or cargo for the booking in Box 1. AES will edit the information and compare

the booking information and receipt of goods information against federal agency criteria files. Within seconds/minutes, AES will generate a confirmation or error message(s) to the carrier. In addition, AES will generate a HOLD if a criteria match was found against booking or receipt of goods data. For corrections/additions to data, the ocean carrier will send updates.

Note: At the time this document was released, the air and rail transportation modules (manifests) had not been implemented into AES. Therefore, there is no mechanism for the air carrier or rail carriers to report manifest information to AES.

Box 3: Under Commodity Filing Options 2 and Option 3, the USPPI or the authorized forwarding agent (referred to as the filer) begin sending in the commodity information required on the Shipper's Export Declaration (SED). Option 2 consists of complete pre-departure electronic commodity data. Option 3 consists of up to 14 data elements filed pre-departure with the complete commodity data to be filed within 5 days after departure of the vessel. In the sea environment, one of the elements the filer will send is a Transportation Reference Number which consist of the carrier SCAC and booking number. AES will edit the information and compare the commodity information against federal agency criteria files. Within seconds/minutes, AES will generate a confirmation or error message(s) to the filer. For corrections/additions to data, the filer will send additions, deletions and changes.

Box 4: AES will attempt to match the ocean carrier's transportation data with the filer's commodity data using the Booking Control Number (SCAC + Booking Number). If a match is found, internally AES will apply a closed status to that shipment. If no match is found, AES will apply a pending status to that shipment awaiting receipt of an identical booking from an ocean carrier. If the mode of transport is not sea, AES closes out the shipment on the date the filer reports the Estimated Date of Departure.

Box 5: If the ocean carrier and filer Booking Number match and the commodity data match the enforcement criteria, AES will generate a HOLD to the ocean carrier. If the commodity data matched the enforcement criteria and the shipment is not sea, or is sea but unmatched, U.S. Customs inspectors will employ manual methods to notify unmatched sea carriers, air carriers or rail carriers of the HOLD.

Box 6: The carrier physically departs.

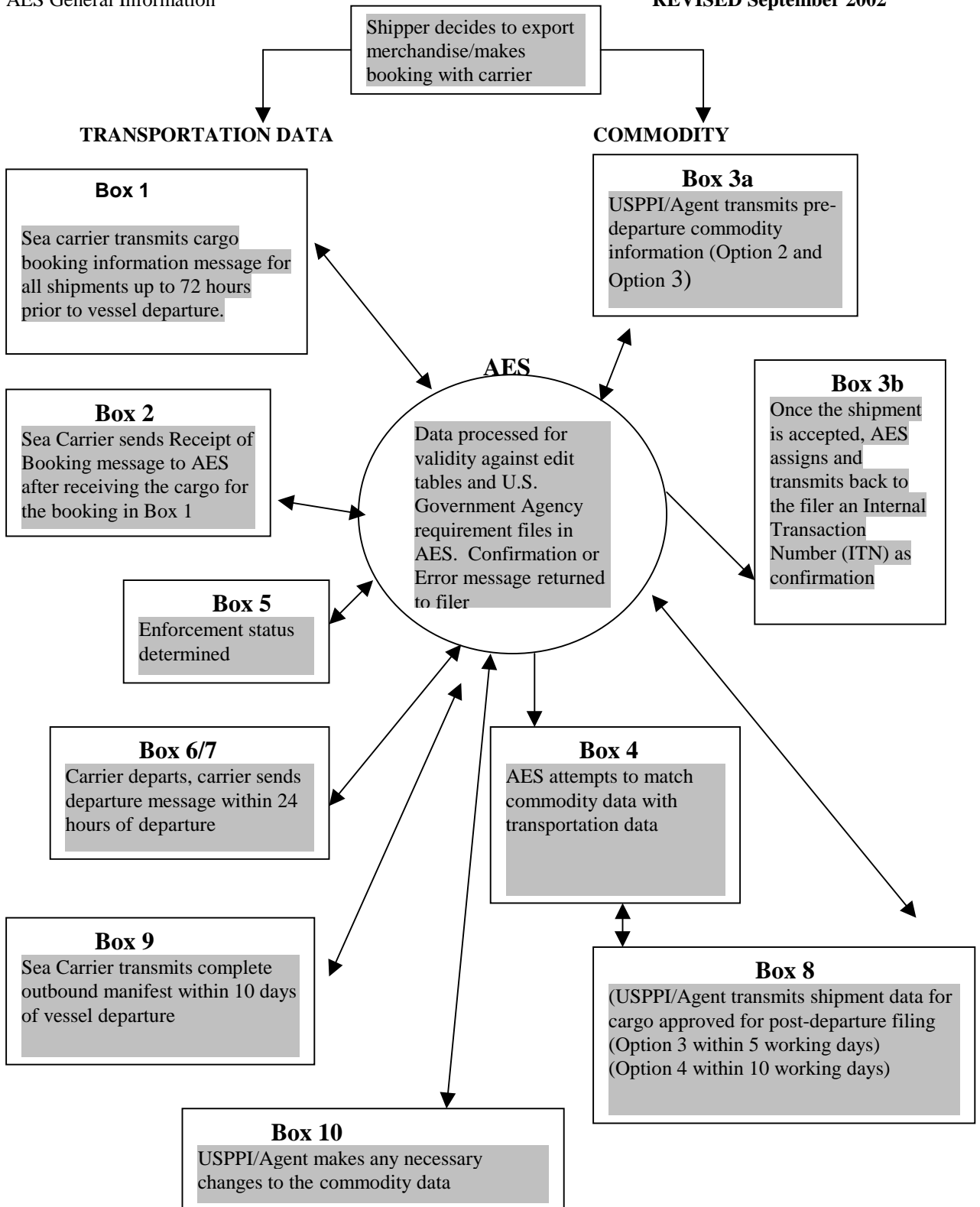
Box 7: In the sea environment, the ocean carrier reports a departure message to AES no later than the first calendar day following the actual departure of the vessel. If ocean carrier and filer Booking Number match, the ocean carrier's transportation data will automatically overwrite the following data elements reported by the commodity filer: *Date of Exportation, Port of Export, Foreign Port, Standard Carrier Alpha Code (SCAC), Vessel Name, and Vessel Flag*. In other environments, the filer of the commodity data will update these fields by sending AES a change (if necessary, see Box 10).

Box 8: Under commodity Filing Options 3 and Option 4, the USPPI or the authorized forwarding agent (referred to as the filer) send in the required commodity information. Option 3 consists of complete commodity data filed in AES up to 5 working days after exportation. Option 4 consists of full commodity data filed in AES up to 10 working days after exportation. AES will edit the information and compare the commodity information against federal agency criteria files. Within seconds/minutes, AES will generate a confirmation or error message(s) to the filer. For corrections/additions to data, the filer will send additions, deletions and changes.

Box 9: In the sea environment, the ocean carrier transmits the vessel manifest up to 10 days after departure of the vessel. AES will edit the information and compare the manifest information against

federal agency criteria files. Within seconds/minutes, AES will generate a confirmation or error message(s) to the ocean carrier. For corrections/additions to data, the ocean carrier will send amendments.

Box 10: The filer reports any changes to the AES commodity data (if necessary) and the ocean carrier transmits the vessel manifest.



Section 2: DATA TRANSMISSIONS

Commodity Information

Commodity data refers to that export information directly transmitted from the USPPI, authorized forwarding agent, port authority, and service bureau, data entry center or *AESDirect*. These transmissions include detailed information on export shipments of commodities and replace the requirement to file a paper Shipper's Export Declaration (SED). This data is used in compiling the official U.S. export statistics and administering the requirements of the Export Administration Act, as provided in the Foreign Trade Statistics Regulations and the Export Administration Regulations.

The AES Development Team worked with the Trade Resource Group to arrive at a consensus on the data elements to be reported electronically. The data elements currently reflect the requirements of Commerce/Census and the Bureau of Industry and Security (BIS); State/Office of Defense Trade Controls; the Nuclear Regulatory Commission; Treasury/U.S. Customs Service and the Office of Foreign Assets Control; and Energy/Office of Arms Control and Nonproliferation.

The U.S. Census Bureau amended the Foreign Trade Statistics Regulations to add provisions for filing shipper's export data electronically using the AES. (Federal Register published July 28, 1999 Part 111 Department of Commerce, Bureau of the Census, 15 CFR Part 30 Amendment to Foreign Trade Statistics Regulations: Provisions for filing Shipper's Export Data Electronically Using the AES.) The Customs Service amended the Customs Regulations to make provision for the AES as well as the Sea Carrier's Module in AES. (Federal Register published July 28, 1999, Part IV, Department of the Treasury, Customs Service, 19 CFR Parts 4, 101, 178, and 192 Automated Export System.)

NOTE: In the Final Rule published in the *Federal Register* on July 10, 2000, the Census Bureau amended the Foreign Trade Statistics Regulations (FTSR) to clarify the responsibilities of the exporter (U.S. principal party in interest) and the forwarding or other agent in preparing the Shipper's Export Declaration (SED) or filing export information electronically using the AES. Effective October 10, 2000, the 'Exporter' and 'EIN' fields on the AES record were revised to read 'US Principal Party in Interest' (USPPI). The FTSR defines the term US principal party in interest as the person in the United States that receives the primary benefit, monetary or otherwise, of the export transaction.

Commodity Input Data Records

Customs Proprietary Commodity Record Format

Transaction Control Header (A) Record
Block Control Header (B) Record
Shipper's Commodity Information (SC1, SC2, SC3) Records
Party Profile Information (N01, N02, N03) Records
Commodity Line Item Description (CL1, CL2, CL3) Records
Block Control Trailer (Y) Record
Transaction Control Trailer (Z) Record

ANSI X12

The 601 Record Set

Commodity Output Data Records

Commodity data output records provide participants with messages indicating whether the export commodity data transmitted to AES contained an error or was accepted error free. The output records will include fatal errors, warning errors, verify and informational responses.

FATAL Error: If AES edits identify an error in the translation of the data or an error in a core data element, a fatal error message results and **commodity data processing ceases**.

WARNING: AES accepts the data but issues a warning message. Warning messages must be corrected as soon as possible. **The participant is required to respond with corrections within four days after departure of the merchandise.** After four days, AES will send a reminder message to alert the participant that AES expects the warning corrected.

Informational: It is the filer's responsibility to ensure timely and complete reporting. AES sends informational messages to the participant to inform them of **compliance issues**, like late reporting.

Verify: AES incorporates the export editing parameters, developed by the Census Bureau, based on statistical averages for commodity prices and more. Verify messages result when discrepancies occur between what Census usually expects for a particular commodity and the data given in the export shipment transaction. **Verify the data, and correct if necessary.**

Reminder: AES sends **reminder messages** to filers when warnings are not corrected in the 4-day period after the date of export. Additionally, these messages are sent to remind Option 3 filers to file their post-departure data.

Transportation Data

Transportation data refers to that information directly transmitted from the vessel carrier or a NVOCC. Transportation data transmitted to the AES includes information regarding the parties involved in transporting the export shipment and the transportation specifications of the exported merchandise.

Transportation Input Data Records

Transportation data may be submitted electronically to AES via the U.S. Customs Proprietary Record Format or the ANSI X12 Format messages 309 and 353 (See Part II for details).

Transportation Output Data Records

Transportation data output records provide participants with messages indicating whether the export transportation data transmitted to AES was accepted error free or contained an error. *The output record will include fatal errors, warning errors, and information responses.* If AES edits identify an error in the translation of the data or an error in a core pre-departure data element, a fatal error message results and data processing ceases. A warning message requires the participant to respond with corrections within four days of departure of the merchandise.

Section 3: PARTNERSHIP AGENCIES

The National Performance Review (NPR) of 1993, as well as direction from the Office of Management and Budget, calls for establishment of a single electronic system for the collection and transfer of export
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information from the U.S. trade community to the numerous U.S. Government Agencies which have statistical/analytical reporting, monitoring or enforcement responsibilities related to outbound shipments of merchandise. Such a system would reduce the paperwork burden on the public by eliminating the duplication of data submission to numerous agencies by the trade as well as preventing development of redundant database systems for such collection by these agencies. To this end, the following automated interfaces are being developed with Partnership Agencies using AES as the data entry point for the trade.

With the implementation of the AES, data currently provided on the paper SED can be entered into this system electronically by the USPPI or the authorized agent.

For AES participants who have a licensable shipment not covered in the License Type Code Tables, enter the license code 'OPA', which is defined as 'Other Partnership Agency' license not listed in the tables. A complete list of License Codes is available in Appendix F.

Partnership Agencies Involvement

The Bureau of the Census extracts AES data to compile and publish export trade statistics. The goal is to eliminate manual processing and review of paper SEDs, by providing edited data, electronically, to be used for analytical and statistical reporting.

AES checks dual-use shipments against licenses approved by the Bureau of Industry and Security.

The Office of Defense Trade Controls utilizes the AES to validate outbound shipments of munitions against previously approved licenses.

We are continuing to create partnerships with other agencies for the future enhancement of AES.

Department of Commerce

The Department of Commerce, Bureau of Industry and Security (BIS), requires certain information to be provided on the SED, Form 7525-V, for licensable goods being exported out of the United States. Customs will collect and transmit to BIS data on all export transactions.

Depending on the type of goods being shipped, destination, end-use, etc., the USPPI may designate one of the License Exceptions as meeting the requirement or they may have applied to BIS for a License. The USPPI will trigger the BIS data requirements by entering the appropriate AES License Code, which identifies the type of BIS License/License Exception related to the export transaction.

The entered License Code will be validated by comparing it to the acceptable values, which are stored in the valid license codes table. The export filer will receive a warning error message if the License Code is missing or invalid. The exporter will be able to continue to complete data entry into the record; however, if the field is not corrected and a good match found on the table by the date of departure, a 'hold' on the shipment may occur.

Based on the type of License Code entered, the USPPI may be required to provide an Export Control Classification Number (ECCN). ECCNs are required for all Licenses/Special Comprehensive Licenses and certain License Exception categories as noted in the AES License Type Code Table. Missing or invalid ECCNs will generate a warning error message.

In addition to the ECCN, entry of License Codes covering all Licenses/Special Comprehensive Licenses will require the USPPI to provide the *License Number*. Until December 29, 2000, missing or invalid

license numbers were treated as warnings generating error messages #312/#313. Effective January 1, 2001, BIS upgraded missing or invalid License Numbers to fatal errors (see Appendix A, #186/#187, for errors).

NOTE: For statistical purposes, the Foreign Trade Statistics Regulations (FTSR: 15 CFR part 30) have different definition of "exporter" from the Export Administration Regulations (EAR). The EAR defines the "exporter" as the person in the United States who has the authority of a principal party in interest to determine and control the sending of items out of the United States (15 CFR part 772 of the EAR). Under the FTSR the "exporter" will always be the U. S. principal party in interest. For purposes of licensing responsibility under the EAR, the U.S. agent of the foreign principal party in interest may be the "exporter" in a routed transaction (15 CFR 758.3 of the EAR).

Input: For complete input record formats, refer to Part II

Output: There are no Commerce/BIS output records.

Nuclear Regulatory Commission

The Nuclear Regulatory Commission (NRC) requires that certain information be provided on the SED Form 7525-V, for nuclear material and equipment shipments being exported out of the United States.

Depending on the type of commodity, destination of the shipment, etc., the USPPI is issued a license by the NRC to export the merchandise. The USPPI will trigger the NRC data requirements by entering the appropriate AES License Code, which identifies the type of NRC license related to the export transaction.

The entered License Code will be validated against the table. The export filer will receive an error message if the License Code is missing or invalid. The USPPI will be able to continue to complete data entry into the record; however, if the field is not corrected and a good match found on the table by the date of departure, a 'hold' on the shipment may occur.

Entry of an AES License Code designating a NRC license type will require the USPPI to provide the 'Specific' License Number or 'General' License CFR Citation. A missing License Number or CFR Citation will generate an error message.

Input: For complete input record formats, refer to Part II.

Output: There are no NRC output records.

Department of State

The Department of State, Office of Defense Trade Controls (ODTC) requires certain information to be provided on the SED, Form 7525-V, for munitions shipments being exported out of the United States. Customs will collect and transmit to ODTC data on all export transactions related to commodities covered by the U.S. Munitions List.

Depending on the security classification and conditions under which the munitions are being shipped (i.e., Permanent Export of Unclassified Defense Articles and Services), the USPPI is issued a license by State/ODTC to export the merchandise. The USPPI will trigger the ODTC data requirements by entering the appropriate AES *License Code*, which identifies the type of ODTC license, related to the export transaction.

The entered License Code will be validated against the table. The export filer will receive a warning error message if the License Code is missing or invalid. The USPPI will be able to continue to complete data entry into the record; however, if the field is not corrected and a good match found on the table by the date of departure, a 'hold' on the shipment may occur.

Entry of an AES License Code designating a State/ODTC license type will require the USPPI to provide the *License Number* or *License Exemption Citation*. Missing or invalid License Number or missing License Exemption Citation will generate a warning error message.

The enhancement for automated decrementation of State DSP-5 munitions licenses for all related shipments processed through AES was implemented in May 1998. This improved method for Customs calculations of State DSP-5 shipments against remaining license balances will be transparent to the AES filer. In essence, the export commodity data entry by the AES filer will automatically trigger the decrementation of the license. The only instances in which the AES filer will be aware of the process are as follows:

The DSP-5 License Number is invalid

Result -- AES filer receives a FATAL error message #184 'Invalid DSP-5 License Number

The DSP-5 license number must be corrected.

The shipment value is already exhausted

Result -- AES filer receives Warning error message #361 'LICENSE IS EXHAUSTED'

The shipment exceeds the remaining license balance (including the ten- percent overage allowance).

Result -- AES filer receives Warning error message #362 'VALUE EXCEEDS LICENSE LIMIT'

These warning errors may create a hold on the shipment if not corrected by the date of departure.

State license decrementation for non-AES filers through Customs data entry was implemented at four ports in November/December 1998. Nationwide decrementation is projected for the near future.

Future enhancements are planned, including a message back to the AES filer which provides the remaining license balance after the decrementation process takes place.

The objective is to ultimately reduce the paperwork burden on the trade, U.S. Customs Service, and the State Department; expedite processing of State-licensed shipments; and provide more accurate calculations for establishing remaining license balances.

Input: For complete input record formats, refer to Part II.

Output: There are no State/ODTC output record

Department of the Treasury

The Department of the Treasury, Office of Foreign Assets Control (OFAC), requires certain information to be provided on the SED, Form 7525-V for shipments being exported out of the United States which are exceptions for specific commodities going to sanctioned countries.

Depending on the type of commodity, destination of the shipment, etc., the USPPI is issued a license by OFAC to export the merchandise. The USPPI will trigger the OFAC data requirements by entering the appropriate AES License Code, which identifies the type of OFAC license, related to the export transaction.

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The entered License Code will be validated against the table. The export filer will receive an error message if the License Code is missing or invalid. The USPPi will be able to continue to complete data entry into the record; however, if the field is not corrected and a good match found on the table by the date of departure, a 'hold' on the shipment may occur.

Entry of an AES License Code designating an OFAC license type will require the USPPi to provide the 'Specific' License Number or 'General' License CFR Citation. A missing License Number or CFR Citation will generate an error message.

Input: For complete input record formats, refer to Part II.

Output: There are no OFAC output records.

Section 4: GENERAL REQUIREMENTS

This section outlines the general requirements for participating in the AES. Several filing options are available for reporting shipper's export data. The first option is the standard pre-departure filing of the paper Shipper's Export Declaration (SED), referred to as Option 1. The AES provides participants with three filing options for transmitting commodity data electronically, within specific time frames, referred to as Option 2, Option 3, and Option 4.

Participation

Participation in the AES is voluntary and is designed to use technology available to both large and small businesses. Companies may purchase a software package designed by an AES certified software vendor (list provided). Or companies may develop an AES application in-house using the record formats and other technical information provide in this document. Companies that are not automated can submit data through a service center, port authority or data entry center, that provides the capability to communicate with the Customs Data Center in the same way as automated companies. The Bureau of the Census offers a cost-free Internet application, called *AESDirect*, that allows USPPis, forwarders, and others to report commodity information to the Automated Export System using the Internet. For details on *AESDirect*, contact their web site at <http://www.aesdirect.gov/>

Certified trade participants (filing agents) can transmit to and receive data from the AES pertaining to merchandise being exported from the United States. Participants in the AES process, who may apply for AES certification, include exporters (US principal party in interest) or the authorized forwarding agents, carriers, non-vessel operating common carriers (NVOCC), consolidators, port authorities, software vendors, service centers or data entry centers. Once becoming certified, an AES filer (filing agent) must agree to stay in complete compliance with all export rules and regulations.

Letter of Intent (LOI)

The first requirement for all participation in AES is to submit a complete and accurate *Letter of Intent* to the Census Bureau.

The *Letter of Intent* is a written statement of a company's desire to participate in AES. It must set forth a commitment to develop, maintain, and adhere to Customs and Census Bureau performance requirements and operations standards. The format and content for preparing the *Letter of Intent* is provided in this document. An electronic version of the *Letter of Intent* can be completed and submitted via the Internet, unless the applicant is requesting Option 4 filing privilege. In which case the *Letter of Intent* must be in AESTIR Part I

writing. Once the *Letter of Intent* is received, an U.S. Customs Client Representative and a Census Bureau Client Representative will be assigned to work with the company. Census will forward additional information to prepare the company for AES participation. There is a separate *Letter of Intent* to participate in the AES Vessel Transportation Module included here as well as available on the AES web site.

Letters of Intent should be on company letterhead and must include:

- Company Name, Address (no P.O. Boxes), City, State, Postal Code
- Company Contact Person, Phone Number, Fax Number, E-mail Address
- Technical Contact Person, Phone Number, Fax Number, E-mail Address
- Corporate Office Address, City, State, Postal Code
- Computer Site Location Address, City, State, Postal Code (where will transmissions be initiated?)
- Type of Business — Exporter (USPPI), Freight Forwarder/Broker, Carrier, NVOCC, Port Authority, Software Vendor, Service Center, etc. (Indicate all that apply.)
- (Freight Forwarder/ Brokers: indicate the number of USPPIs for whom you file SEDs)
- USPPIs indicate for which of the following you are applying: Option 2, Option 3, Option 4
- U.S. Ports of Export Currently Utilized
- Average Monthly Paper SEDs submitted
- Average Monthly Value of Export Shipments
- Filer Code — EIN, DUNS, SSN, or SCAC (Indicate all that apply.)
- Software Vendor Name, Contact, and Phone Number (if using vendor provided software)
- Look-a-Like Remote to Copy (as provided by vendor)
- Modes of Transportation used for export shipments (Air, Vessel, Truck, Rail, etc.)
- Types of Merchandise exported
- Types of Licenses or Permits
- Anticipated Implementation Date

The following self-certification statement, signed by an officer of the company, must be included in your letter of intent:

We (COMPANY NAME Inserted here), certify that all statements made and all information provided herein are true and correct. I understand that civil and criminal penalties, including forfeiture and sale, may be imposed for making false or fraudulent statements herein, failing to provide the requested information or for violation of U.S. laws on exportation (13 U.S.C. Sec. 305; 22 U.S.C. Sec. 401; 18 U.S.C. Sec. 1001; 50 U.S. C. App. 2410).

The AES Option 4 privilege allows an exporter (USPPI) to send no data prior to exportation and complete data within 10 business days after exportation. Participants will be reviewed by several government agencies prior to acceptance into the Option 4 program.

Send AES or Option 4 *Letter of Intent* to:

**Chief, Foreign Trade Division
Bureau of the Census
Suitland and Silver Hill Roads
Washington, DC 20233
Or, a copy can be faxed to: 301-457-1159**

- Company Name, Address(no P.O. Boxes), City, State, Postal Code
- Company Contact Person, Phone Number, Fax Number, E-mail Address
- Corporate Office Address, City, State, Postal Code
- Computer Site Location Address, City, State, Postal Code
- Technical Contact Person, Phone Number, Fax Number, E-mail Address
- U.S. Ports of Export currently used
- Average Number of Monthly Export Voyages
- Average Monthly Number of Bookings
- Average Number of Bills of Lading
- Carrier SCAC Code
- Software Vendor Name, Contact Person, Phone Number, Fax Number, E-mail Address (if using vendor provide software)
- Look-a-Like Remote to Copy (as provide by vendor)
- If AMS carrier provide U.S. Customs AMS Client Representative
- Party Transmitting if other than applicant, Contact Person, Phone Number, Fax Number, E-mail Address
- Anticipated Implementation Date
- Status of AES Development (Planning, Programming, Ready to Test)
- Type of Reporting Format (Customs Proprietary, ANSI X-12)

We, (insert the name of the company above), certify that all statements made and all information provided herein are true and correct.

Access LOI via the Internet: www.customs.gov
Click on Importing & Exporting
Scroll down to Exporting
Click on Automated Export System (AES)
Scroll down to Letter of Intent (LOI) Form and Click
Complete the form on-line and press submit

General filing and transmission requirements

The data elements required for filing shipper's export data electronically are contained in Section 5. Rather than delivering the paper SED to the carrier, the certified filer must transmit the shipper's export information electronically using the AES. When transmitting export information electronically, the AES filers must comply with the data transmission procedures determined by Customs and the Census Bureau (See AES certification, qualifications, and standards).

NOTE: Effective October 10, 2000, for the purpose of reporting in AES, the term 'exporter' was changed to read 'US Principal Party in Interest' abbreviated as 'USPPI'.

General Responsibilities of USPPI, filing agents, and sea carriers

USPPI and authorized filing agent responsibilities

The exporter (USPPI) and/or the authorized agents, certified for AES filing, are responsible for:

- Transmitting complete and accurate information to the AES.
- Transmitting information to the AES in a timely manner in accordance with the provisions and requirements in each reporting option.
- Responding to messages identified as fatal error, warning, verify, or reminder generated by AES
- Providing the exporting carrier with the required exemption statements or citations when an item or shipment is exempt from SED filing requirements
- Transmitting corrections or cancellations to information transmitted to the AES as soon as the need for such changes is determined
- Maintaining all necessary and proper documentation related to the AES export transaction

Sea carrier responsibilities

The exporting sea carrier is responsible for:

- Transmitting timely, accurate, and complete manifests and bills of lading information to AES for all cargo being shipped
- Responding to all notifications concerning the status of their transmissions and the detention and release of freight
- Transmitting booking, receipt of booking, departure, and manifest messages to AES
- Required to comply with record-keeping requirements

For information on electronic filing of manifest using the AES, see 19 CFR 4.76, Procedures and responsibilities of carriers filing outbound vessel manifests information via the AES.

SECTION 5: ELECTRONIC FILING OPTIONS

As an alternative to filing paper Shipper's Export Declaration forms, three electronic filing options for transmitting shipper's export information are available to USPPIs or the authorized filing agents. Two of the electronic filing options (Options 3 and 4) take into account that complete information concerning export shipments is not always available at the time of shipment. The available AES electronic filing options are as follows:

Option 2: AES with full required commodity information transmitted prior to exportation

AESTIR Part I

Option 2 of AES provides for the pre-departure electronic filing of all commodity information required for export shipment and is the basic AES.

NOTE: The following specific types of shipments **always require full pre-departure information** to be transmitted to AES; therefore, Option 2 is the only electronic option for filing these type shipments:

- Used self-propelled vehicles (except those shipped between the United States and Puerto Rico) as defined in 19 CFR 192.1
- Essential and precursor chemicals requiring a permit from the Drug Enforcement Administration
- Shipments defined as 'sensitive' by Executive Order
- Shipments where full export information is required prior to exportation by a federal government agency.

Option 3: AES with partial commodity information transmitted prior to exportation

Option 3 provides for the electronic filing of specified data elements to the AES prior to exportation.

Option 3 is designed for those shipments for which full commodity data are not available prior to exportation. Where partial commodity information is provided under Option 3, complete commodity information must be transmitted as soon as it is known, but no later than five (5) working days from the date of exportation. **A filer may switch between Option 2 and Option 3 filing depending on the amount of information available at the time of filing the export.**

No prior approval from the Census Bureau or Customs is required for certified AES filers to use Option 3.

The USPPI or the authorized filing agent must provide the exporting carrier with an AES exemption statement, which includes a unique shipment reference number, prior to exportation.

Used self-propelled vehicles shipped between the United States and Puerto Rico may be filed using Option 3. However, any other used vehicles can not be reported using Option 3 (revert to Option 2).

Commodity data for a shipment that requires a BIS, NCR, or OFAC license can be transmitted as an Option 3 filing.

Commodity data for a shipment that requires a State Department license can not be transmitted as an Option 3 filing.

Specific commodities always require full pre-departure information to be transmitted to the AES (as specified in Option 2) and can not be filed using Option 3 (revert to Option 2 or Option 1).

Option 4: AES with no commodity information transmitted prior to exportation

Option 4 is only available for **approved USPPIs** and requires no export commodity information to be transmitted electronically to AES prior to exportation.

Where exportation is made with no prior AES filing, full commodity information should be reported as soon as it is known, but no later than ten (10) working days from the date of exportation.

The USPPI or the authorized agent must provide the exporting carrier with the USPPI's Option 4 AES AESTIR Part I

Exemption Statement prior to exportation.

Certified AES authorized filing agents or service centers may transmit information post- departure on behalf of approved Option 4 USPPIs.

Shipments that require a license can not be transmitted as Option 4 filing (unless specifically approved by the licensing agency for Option 4 filing).

Used self-propelled vehicles shipped between the United States and Puerto Rico, by an Option 4 approved USPPI, may be shipped using filing Option 4. However, any other used vehicle can not be transmitted as an Option 4 filing.

Specific commodities (see Option 2) that require full pre-departure commodity information can not be filed as Option 4.

All USPPIs filing a *Letter of Intent* for Option 4 filing privileges will be cleared through a formal review process conducted by Customs, the Census Bureau, and other federal government agencies participating in the AES (partnership agencies). Option 4 *Letter of Intent* must be submitted in writing.

Section 6: AES CERTIFICATION, QUALIFICATIONS, and STANDARDS

AES Certification Process

Certification for AES filing will apply to any USPPI, authorized forwarding agent, carrier, non-vessel-operating common carriers (NVOCC), consolidator, port authority, software vendor, service center or data entry center transmitting export information electronically using the AES. Applicants interested in AES filing must submit a *Letter of Intent* to the Census Bureau. Customs and the Census Bureau will assign client representatives to work with the applicant to prepare them for AES certification.

The AES applicant must perform an initial two-part communication test to ascertain whether the applicant's system is capable of both transmitting data to and receiving data from the AES. The applicant must demonstrate specific system application capabilities. The capability to correctly handle these system applications is the prerequisite to certification for participation in the AES.

The applicant must successfully transmit the AES certification test. Both the Customs and Census Bureau client representatives provide assistance during certification testing. These representatives make the sole determination as to whether or not the applicant qualifies for certification. Upon successful completion of certification testing, the applicant's status is moved from testing mode to operational mode.

Upon certification, the filer will be required to maintain an acceptable level of performance in AES filings. The certified AES filer may be required to repeat the certification testing process at any time to ensure that operational standards for quality and volume of data are maintained.

Filing Agent Certification

Once an authorized filing agent has successfully completed the certification process, the USPPI(s) using that agent need no further AES certification of their own. The certified filing agent must have a properly executed *power of attorney*, a written authorization from the exporter (USPPI), or a SED signed by the USPPI to transmit the USPPI's data electronically using the AES. The USPPI or authorized agent that utilizes a service center or port authority must complete certification testing, unless the service center or port authority has a formal power of attorney or written authorization from the USPPI to submit the export

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information on behalf of the USPPI.

AES Certification Letter

The Census Bureau will provide the certified AES filer with a certification letter after the applicant has been approved for operational status. The certification letter will include:

- The date that filers may begin transmitting “live” data electronically using AES;
- Reporting instructions; and
- Examples of the required AES exemption legends.

AES Filing Standards

The certified AES filer’s data will be monitored and reviewed for quality, timeliness, and coverage. The Census Bureau will notify the AES filer in writing if they fail to maintain an acceptable level of quality, timeliness, and coverage in the transmission of export data or fail to maintain compliance with Census Bureau regulations contained in the Foreign Trade Statistics Regulations. The Census Bureau will direct that appropriate action to correct the specific situation(s) be taken.

Criteria for denial of applications requesting Option 4 filing status; Appeal Procedure.

Approval for Option 4 filing privileges will apply only to exporters (USPPIs). However, forwarding agents may apply for Option 4 filing privileges on behalf of an individual USPPI. Option 4 applicants must submit a *Letter of Intent* to the Census Bureau.

Option 4 Approval Process

The Census Bureau will distribute the *Letters of Intent* for Option 4 filing privileges to Customs and the other partnership agencies participating in the AES Option 4-approval process. Failure to meet the standards of the Census Bureau, Customs, or one of the partnership agencies is reason for non-selection or denial of the application for Option 4 filing privileges.

Each partnership agency will develop its own internal Option 4 acceptance standards, and each agency will notify the Census Bureau of the applicant’s failure to meet that agency’s acceptance standards. If the Census Bureau does not receive either notification of denial, or a request for extension from the partnership agency within thirty (30) calendar days after the date of referral of the Letter of Intent to the partnership agency, the applicant is deemed to be approved by that agency. The Census Bureau will provide the Option 4 applicant with an approval or denial letter. If a denial letter is issued, the Census Bureau will indicate the partnership agency that denied the application. The applicant must contact the denying partnership agency for the specific reason(s) for denial.

Grounds for Denial of Option 4 filing status

The Census Bureau may deny an exporter’s (USPPI) application for Option 4 filing privileges for any of the following reasons:

- Applicant is not an established exporter (USPPI) with regular operations;
- Applicant has failed to submit SEDs to the Census Bureau for processing in a timely and accurate manner;
- Applicant has a history of noncompliance with Census Bureau export laws and regulations;
- Applicant has been indicted, convicted, or is currently under investigation for a felony involving a violation of federal export laws or regulations and the Census Bureau has evidence

of probable cause supporting such violation, or the applicant is in violation of Census Bureau laws or regulations; and

- Applicant has made or caused to be made in the *Letter of Intent* a false or misleading statement or omission with respect to any material fact.

Customs may deny a participant's application for any of the following reasons:

- The applicant is not an exporter (USPPI) as defined in the Census Regulations (15 CFR 30.7(d));
- The applicant has a history of non-compliance with export regulations (e.g., exporter (USPPI) has a history of late electronic submission of commodity records or a record of non-submission of required export document)
- The applicant has been indicted, convicted, or is currently under an investigation, wherein Customs has developed probable cause, for a felony involving any Customs law or any export law administrated by another government agency; or
- The applicant has made or caused to be made in the *Letter of Intent* a false or misleading statement or omission with respect to any material fact.

Notice of non-selection and appeal procedures for Option 4 filing

The Census Bureau will notify the applicant in writing of the decision to either deny or approve the applicant for Option 4 filing privileges within thirty (30) days of receipt of the *Letter of Intent* by the Census Bureau. If a decision cannot be reached at that time, the applicant will be notified of an expected date for a final decision as soon as possible after the thirty (30) calendar days.

Applicants for Option 4 filing privileges denied Option 4 status by other partnership agencies must contact those agencies regarding the specific reason(s) for non-selection and for their appeal procedures.

Applicants denied Option 4 status by the Census Bureau will be provided with a specific reason for non-selection and a Census Bureau point of contact in the notification letter. Option 4 applicants may appeal the Census Bureau's non-selection decision by following the appeal procedure and reapplication restriction provided in this section.

Applicant's whose applications are denied by Customs will be provided with the specific reason(s) for non-selection. Applicants may challenge Customs decision by following the appeal procedures provided in this section.

Revocation of Option 4 filing privileges

The Census Bureau may revoke Option 4 filing privileges of approved Option 4 USPPIs for the following reasons:

- The USPPI has made or caused to be made in the *Letter of Intent*, a false or misleading statement or omission with respect to material fact;
- The USPPI submitting the *Letter of Intent* is indicted, convicted, or is currently under investigation for a felony involving a violation of federal export laws or regulations and the Census Bureau has evidence of probable cause supporting such violation, or the applicant is in violation of Census Bureau laws or regulations contained in this chapter;
- The USPPI has failed to substantially comply with existing Census Bureau or other agency export regulations; or
- The Census Bureau determines that continued participation in Option 4 by an USPPI would pose a significant threat to national security interests such that their continued participation in Option 4 should be terminated.

Customs may revoke Option 4 privileges of participants for the following reasons:

- The USPPI has made or caused to be made in the *Letter of Intent*, a false or misleading statement or omission with respect to any material fact;
- The USPPI submitting the *Letter of Intent* is indicated, convicted, or is currently under an investigation, wherein Customs has developed probable cause, for a felony involving any Customs law or any export law administered by another government agency;
- The USPPI fails to substantially comply with export regulations; or
- Continued participation in AES as an Option 4 filer would pose a threat to national security, such that continued participation in Option 4 should be terminated.

Notice of Revocation; Appeal Procedure

Approved Option 4 filers whose Option 4 filing privileges have been revoked by other agencies must contact those agencies for their specific revocation and appeal procedures.

When the Census Bureau makes a determination to revoke an approved Option 4 filer's AES Option 4 filing privileges, the USPPI will be notified in writing of the reason(s) for the decision. The USPPI may challenge the Census Bureau's decision by filing an appeal within thirty (30) calendar days of receipt of the notice of decision. In most cases, the revocation shall become effective when the USPPI has either exhausted all appeal proceedings, or thirty (30) calendar days

after receipt of the notice of revocation, if no appeal is filed. However, in cases when required by national security interests, revocations will become effective immediately upon notification.

Appeals should be addressed to the Chief, Foreign Trade Division, Bureau of the Census, Washington, DC 20233. The Census Bureau will issue a written decision to the USPPI within thirty (30) calendar days from the date of receipt of the appeal by the Census Bureau. If a written decision is not issued within thirty (30) calendar days, a notice of extension will be forwarded within that time period. The USPPI will be provided with the reasons for the extension of this time period and an expected date of decision.

Approved Option 4 USPPIs who have had their Option 4 filing status revoked may not reapply for this status for one year following written notification of the revocation. Such applications will not be considered before the one-year time period.

When Customs has decided to revoke a participant's Option 4 filing privileges, the participant will be notified in writing of the reason(s) for the decision. The participant may challenge Customs decision by filing an appeal within thirty (30) calendar days of receipt of the notice of decision. Except as stated elsewhere in this paragraph, the revocation will become effective when the participant has either exhausted all appeal proceedings or thirty (30) calendar days after receipt of the notice of revocation if no appeal is filed. However, in cases of intentional violations of any Customs law on the part of the program participant or when required by the national security, revocations will become effective immediately upon notification.

Appeals should be addressed to the Director, Outbound Programs, U.S. Customs, Ronald Reagan Building, 1300 Pennsylvania Avenue, NW, Room 5.4c, Washington, DC 20229. Customs will issue a written decision or notice of extension to the participant within thirty (30) calendar days of receipt of the appeal. If a notice of extension is forwarded, the applicant will be provided with the reason(s) for extension of this time period and an expected date of decision.

Participants who have had their Option 4 filing privileges revoked and applicants not selected to participate in Option 4 of AES may not reapply for this filing status for one year following written notification of rejection or revocation.

Section 7: DATA ELEMENTS (Information reported electronically through AES)

The information listed in this section is required for shipments transmitted electronically through AES.

Data elements identified as:

"Mandatory" must be reported for each transmission

"Conditional" must be reported if they are required for or apply to the specific shipment

"Optional" may be reported at the discretion of the USPPI

Mandatory data elements are as follows:

(1) **USPPI/USPPI identification**

Name and address of the US principal party in interest (exporter)

USPPI's profile: The USPPI's Employer Identification Number (EIN) or Social Security Number (SSN) and USPPI name, address, contact, and telephone number must be reported with the initial shipment. If no EIN, SSN, or DUNS number is available for the USPPI, as in the case of a foreign entity being shown as exporter (USPPI) the border crossing number, passport number, or any other number assigned by Customs must be reported. Once the USPPI's profile is established in AES, subsequent shipments may be identified with only the EIN, SSN, or DUNS number. It is not necessary to transmit the name and address each time once the profile is established in AES.

(2) **Date of exportation/date of arrival**

The USPPI or the authorized forwarding or other agent in the export transaction must report the date the merchandise is scheduled to leave the United States for all modes of transportation. If the actual date is not known, report the best estimate of departure. The estimated date of arrival must be reported for shipments to Puerto Rico.

(3) **Ultimate consignee**

The ultimate consignee is the person, party, or designee on the export license who is located abroad and actually receives the export shipment. The ultimate consignee known at the time of export must be reported. For goods sold en route, report "SOLD EN ROUTE" and report corrected information as soon as it is known.

(4) **U.S. state of origin**

Report the 2-character postal abbreviation for the state in which the merchandise begins its journey to the port of export.

(5) **Country of ultimate destination**

Report the 2-character International Standards Organization (ISO) code for the country of ultimate destination. The country of ultimate destination, as shown on the export license, or the country as known to the USPPI in the export transaction at the time of export is the country in which the merchandise is to be consumed or further processed or manufactured. For goods sold en route, report the country of the first port of call and then report corrected information as soon as it is known.

(6) **Method of transportation**

The method of transportation (MOT) is defined as that by which the goods are exported or shipped. Report one of the codes listed in Appendix T.

(7) Conveyance name

The name of the carrier (sea—vessel name; others—carrier name) must be reported by the USPPI or the USPPI's agent as known at the time of shipment for all shipments leaving the country by sea, air, truck, or rail. Terms such as "airplane," "train," "truck," or "international footbridge" are not acceptable and will generate an error message.

(8) Carrier identification

Report the 4-character Standard Carrier Alpha Code (SCAC) for vessel, rail, and truck shipments. Report the 2- or 3-character International Air Transport Association (IATA) Code for air shipments to identify the carrier actually transporting the merchandise out of the United States.

(9) Port of export

Report the code of the Customs port of export in terms of Schedule D, "Classification of Customs Districts and Ports." See Appendix D for list of codes to be reported here.

(10) Related/Non-related indicator

Indicate if the shipment is between related parties.

(11) Domestic or foreign indicator

Indicate if the commodities are of domestic or foreign production.

(12) Commodity classification number

Report the 10-digit commodity classification number as provided in Schedule B, "Statistical Classification of Domestic and Foreign Commodities Exported from the United States" (Schedule B). The 10- digit commodity classification number provided in the Harmonized Tariff Schedule (HTS) may be reported in lieu of the Schedule B Commodity classification number except as noted in the Head Notes of the HTS. (This list is available on the AES Internet web site and as Appendix V of this document.)

(13) Commodity description

Report the commercial description in sufficient detail to permit the verification of the commodity classification number.

(14) First net quantity/unit of measure

Report the primary net quantity in the specified unit of measure and the unit of measure as prescribed in the Schedule B or HTS or as specified on the export license.

(15) Gross shipping weight

Report the gross shipping weight in kilograms for vessel, air, truck, and rail shipments. Include the weight of containers, but exclude the weight of carrier equipment.

(16) Value

The value shall be the selling price or cost if not sold, including inland freight, insurance, and other charges to the U.S. port of export. Report the value in U.S. currency; omit cents. The "selling price" for goods exported pursuant to sale and the value to be reported on the AES record is the exporter's (USPPI) price to the foreign principal party of interest, net any unconditional discounts from list price, but without deducting any discounts which are conditional upon a particular act or performance on the part of the customer.

(17) Export information code

Report the appropriate 2-character export information code as provided in Appendix E.

(18) Shipment reference number

The filer of the export shipment provides a unique shipment reference number that allows for the identification of the shipment in their system. This shipment reference number must be unique for five years.

(19) Line item number

Report a line number for each commodity for a unique identification of the commodity.

(20) Hazardous material indicator

This is a "Yes" or "No" indicator identifying the shipment as hazardous as defined by the Department of Transportation.

(21) In-bond code

FOR FUTURE USE. The Default code '70' for not in bond is currently reported here. Other 2-character in bond codes may be reported for informational purposes only at this time.

(22) License code

Report the 3-character code listed in Appendix F to indicate the type of license, permit, license exemption, or no license required code.

(23) Routed Export Transaction

Added January 2001

This is a "Yes" or "No" indicator that identifies the transaction as a routed export transaction.

Conditional data elements are as follows:**(1) Forwarding agent/forwarding agent identification**

- (i) *Name and address of the forwarding agent.* The forwarding agent is any person in the United States or under jurisdiction of the United States who is authorized by the USPPI (exporter) to perform the services required to facilitate the export of merchandise out of the United States or the person named in the validated export license.
- (ii) *Forwarding agent's profile*
The forwarding agent's identification number (EIN, DUNS, or SSN) and name and address must be reported with the initial shipment. Subsequent shipments may be identified by reporting only the identification number.

(2) Intermediate consignee

The intermediate consignee is the intermediary (if any) who acts in a foreign country as an agent for the USPPI or the ultimate consignee for the purpose of effecting delivery of the export shipment to the ultimate consignee or the person named on the export license.

(3) Foreign Trade Zone number

Report the unique 5-character code assigned by the Foreign Trade Board that identifies the Foreign Trade Zone from which merchandise is withdrawn for export.

(4) Foreign port of unloading

For sea shipments only, the code of the foreign port of unloading should be reported in terms of the 5-digit codes designated in Schedule K, "Classification of Foreign Ports by Geographic Trade Area and Country." For sea and air shipments from the United States to Puerto Rico, or from Puerto Rico to the United States, report the port of unloading in terms of the 4-position Schedule D port code, "Classification of Customs Districts and Ports." (Left justify)

(5) **License number/Code of Federal Regulations (CFR) citation**

For licensable commodities, report the license number of the license issued for the merchandise. If no license is required, report the regulatory citation exempting the merchandise from licensing or the conditions under which the merchandise is being shipped that make it exempt from licensing.

(6) **Export Control Classification Number**

Report the Export Control Classification Number (ECCN) for merchandise as required by the Bureau of Industry and Security (BIS) Regulations (15 CFR Parts 730 through 774).

(7) **Second net quantity/unit of measure**

When Schedule B requires two units of quantity be reported, report the second net quantity in the specified unit of measure and the unit of measure as prescribed in the Schedule B or HTS.

(8) **Used self-propelled vehicles**

Report the following items of information for used self-propelled vehicles as defined in 19 CFR 192.1:

- (i) **Vehicle Identification Number:** Report the unique Vehicle Identification Number (VIN) in the proper format;
- (ii) **Product Identification Number:** Report the Product Identification Number (PIN) for those used self-propelled vehicles for which there are no VINs;
- (iii) **Vehicle title number:** Report the unique title number issued by the Motor Vehicle Administration; and
- (iv) **Vehicle title state:** Report the 2-character postal abbreviation for the state or territory of the vehicle title.

(9) **Entry number**

Report the Import Entry Number when the export transaction is to be used as proof of export for import transactions such as In-Bond, Temporary Import Bond, Drawback, and so forth. (Not available at this time) Reference FTSR Letter 174, Reporting Requirement and Clarification of U.S. Principal Party In Interest (USPPI) for Merchandise Imported into the United States for Export to a Third Country of Ultimate Destination.

(10) **Waiver of prior notice**

This is a "Yes" or "No" indicator to determine if the person claiming drawback received a waiver of prior notice for the exported merchandise. (Not available at this time)

(11) **Transportation reference number**

Report the booking number for all sea shipments. The booking number is the reservation number assigned by the carrier to hold space on the vessel for the cargo being exported.

(12) **Equipment number**

Report the container number for containerized shipments. This number may be reported in conjunction with the booking number.

(13) **Filing option indicator**

Report the 1-character filing option that indicates Option 3 or Option 4 filing. The default is Blank for Option 2 filings.

Optional data elements are as follows:**(1) Marks and numbers**

The USPPI or the authorized forwarding agent in the export transaction may opt to report any special marks or numbers that appear on the physical merchandise or its packaging that can identify the shipment or a portion thereof.

(2) Seal number

Report the security seal number of the seal placed on the equipment.

(3) Vessel Flag

Report the ISO code for the country under whose flag the vessel is registered for (MOT=10, 11, 12)

Pre-departure Option 3 data elements include:

Export, Estimated Date of Export, Method of Transportation Code, Transportation Reference Number, Hazmat Indicator, License Code, Export License Number.

Section 8: TRANSMITTING and CORRECTING AES INFORMATION

- (a) **The USPPI or the authorized filing agent is responsible for electronically transmitting corrections, cancellations, or amendments to shipment information previously transmitted using the AES.** Corrections, cancellations, or amendments should be made as soon as possible after exportation when the error or omission is discovered.
- (b) **For shipments where the USPPI or the authorized filing agent has received an error message from AES, the corrections must take place as required.** A fatal error message will cause the shipment to be rejected. This error must be corrected prior to exportation of the merchandise. For shipments where a warning message is received, the correction must be made within four (4) working days of receipt of the transmission; otherwise AES will generate a reminder message to the filer. For shipments with a verify message, corrections when warranted, should be made as soon as possible after notification of the error by the AES.

Section 9: ANNOTATING the PROPER EXEMPTION LEGENDS for SHIPMENTS TRANSMITTED ELECTRONICALLY

IMPORTANT: Failure to provide an exemption legend could result in delay of your export shipment

The USPPI or the authorized forwarding agent is responsible for annotating the proper exemption legend on the bill of lading, air waybill, or other commercial loading document for presentation to the carrier, either on paper or electronically prior to export. The exemption legend will identify that the shipment information has been transmitted electronically using the AES. The exemption legend will include the statement "NO SED REQUIRED-AES" followed by the filer's identification number and a unique shipment reference number (XTN) or the returned confirmation number (ITN). Exemption statements for Option 2 and Option 3 filers are formatted the same. For USPPIs who have been approved to participate in Filing Option 4, the exemption statement, "NO SED REQUIRED-AES," should include the USPPI's identification number and the filer's identification number if other than the USPPI. **The exemption legend must appear on the first page of the bill of lading, air waybill, or other commercial loading document and must be clearly visible.** Foreign Trade Statistics Regulations Letter Number 168 (Amendment 1) provides the official AES exemption legends to be used. FTSR Letter #168 (Amendment 1) is available on the AES Internet web site. The exemption statements are also included in "Appendix R, Exemption

Section 10: RECORDINGKEEPING and DOCUMENTATION REQUIREMENTS

All parties to the export transaction (owners and operators of the exporting carriers and USPPIs and the authorized agents) must retain documents or records verifying the shipment for five (5) years from the date of export. Customs, the Census Bureau, and other agency participating in AES may require that these documents be produced at any time within the 5-year time period for inspection or copying. These records may be retained in an elected format including electronic or hard copy as provided in the applicable agency's regulations. Acceptance of the documents by Customs or the Census Bureau does not relieve the USPPI or the authorized agent from providing complete and accurate information after the fact.

Section 11: SOFTWARE DEVELOPMENT

Participants are responsible for developing or acquiring the software necessary to send and receive data. This includes:

- A communications interface program
- Complete edits and verification logic to ensure data accuracy and completeness (See Appendix Q)
- Applications support programs to build a file which the communications interface program will transmit to the Customs computer

Section 12: DATA STORAGE CAPACITY

An AES participant must have the data storage capacity to store valid information needed to successfully capture and submit an export transaction to AES. This information may include the HTS or Schedule B classification numbers, ISO Country Codes, U.S. Port Codes, Foreign Port Codes, License Type Codes, Export Information Codes, Units of Measure and codes for valid Modes of Transportation (SCAC and/or IATA codes). The participant will need to store the present, past, and future effective dates of this data. Another serious storage consideration is data retention of AES export transactions for a minimum of five years. The data need not be on-line, but readily accessible if verification of a transaction is needed.

Section 13: COMMUNICATIONS

U.S. Customs offers several communication interface program options to AES users.

- Filer owned software (either developed or purchased)
- A Value Added Network (VAN) mailbox
- Servicing facilities of a Port Authority or Service Center offering the AES interface for filers who are not automated or have incompatible equipment.
- *AESDirect*, a free Internet filing application developed by Census (<http://www.aesdirect.gov/>)

All AES filers transmit data to the U.S. Customs Service central processor. Communications access is monitored by internal security program controls using account numbers and passwords assigned by Customs to each user. Authorized users are further restricted to processes that permit the transmission and receipt of data files applicable only to functions that they are authorized to perform.

A filer may communicate with AES using any of the following formats:

Customs Proprietary Commodity Record Format for AES

Customs Proprietary Transportation Format for AES

ANSI X12

The filer's application support program must build a file which the communications interface program transmits to AES via batch processing. Participants must use a data transmission protocol agreed upon between the user and Customs. When the communications connect is established, the filer's communication interface program transmits the contents of the sign-on file. The specific sign-on job control language (JCL) statements for initial data communications and testing with the Customs computer are provided to each participant on an individual basis by the Customs Client Representative. If the VANS option is chosen, the mailbox address will be provided by the Customs Client Representative.

Any data received by Customs just prior to a line drop or any other mechanical failure occurring during transmission is not retained. The filer must reinitiate the send task after resolution of the problem and retransmit the data.